Strategies for Success

Wetlands Training Workshop for Consultants

December 6, 2007

Please Note: This presentation is for a training workshop only and is not meant to be a substitute for the Freshwater Wetlands Act or the *Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act*.

Application Preparation

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Presence of Wetland

- Is wetland present on the subject property
- Type of Wetland present
- Site plan helpful but not always necessary

- Site work…property boundaries

Verify Wetland Edge

Helpful Strategies

- Refer Specifically to Appendix 2 of the Rules
- Follow site plan requirements(Rule 7.03) -contours very helpful and mandatory for FP, sites > 10 acres
- Use wetland edge documentation forms
- To keep surveys accurate, be sure to take periodic measurements from the wetland edge to on-site fixed reference points (☞ always ☜)
- NO work can be depicted anywhere on the plans
- Write flag numbers at the end AND near the knot

Request for Preliminary Determination Outcomes

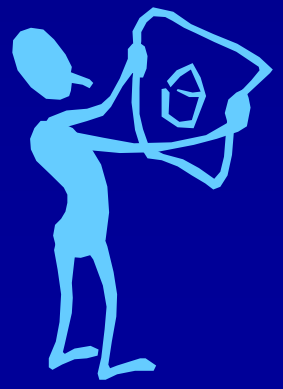
- Determination of permit not required ☺
- Permit for Insignificant Alteration 😐
- Determination of Significant Alteration and Application to Alter required ☹

Request for Preliminary Determination

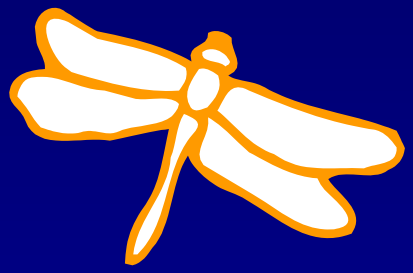
- Show entire project
- DEM determines whether or not a project represents a ‘significant’ alteration (key: avoid wetland features)
- To obtain a permit through the PD process, a project must have limited impacts on wetland functions and values
- DEM uses review criteria to help assess significance of project (Rule 9.03B)
- Avoidance and Minimization techniques
- Mitigation measures

Application to Alter

- AKA “Formal’ application
- Required if a ‘significant’ alteration is proposed
- All abutters w/in 200 feet of the wetland alteration (not property lines) are notified
- Avoid, Avoid, Avoid
- Minimize, Minimize, Minimize



Written Evaluation – Required Elements



- Table of Contents
  - Section titles and page numbers
- Introduction
  - Overall project description – size, purpose, location, type, site history, adjacent land uses

Written Evaluation – Required Elements

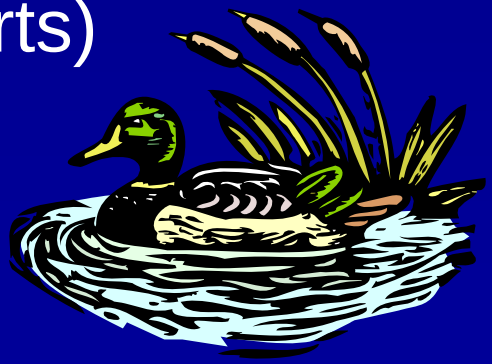
- Evaluation Methodology (when applicable)
  - Scientific techniques and methods used – dates, times, and results of field study
  - Methodology used or deviated from and why
  - Any assumptions/ conclusions made must be supported/explained with site specific facts

Written Evaluation – Required Elements

- Describe all Freshwater Wetlands
  - Include all wetlands potentially impacted by proposed project (including Perimeter and Riverbank Wetlands)
  - Note each wetlands' functions and values
  - Proposed Measures to Reduce Impact – best management practices used to protect wetland functions and values (dense plantings along limits of disturbance for instance)

Written Evaluation – Required Elements

- Elements Of A Successful Design
  - Preserving natural areas in and around wetlands
  - Minimize disturbed areas and encourage land preservation
  - Ensure maintenance of fish and other wildlife passages (bridges, multiple culverts)
  - Design structures outside of all wetlands defined in Rule 5.00



Written Evaluation – Required Elements

- Helpful References
  - Refer to the Rhode Island Soil Erosion and Sediment Control Handbook for stabilizing disturbed area, and use of soil erosion and sediment controls
  - Refer to the Rhode Island Stormwater Design and Installation Manual for control, treatment and maintenance of stormwater
  - Refer to groundwater withdrawal guidelines

Written Evaluation – Required Elements

- Helpful hints with drainage
  - Minimizing impervious surface areas
  - Incorporate compensatory flood storage areas
  - Encourage infiltration of non-contaminated run-off
  - Prevent channelization of piping of run-off and encourage sheet flow

Written Evaluation – Required Elements

- Helpful Hints cont.
  - Landscape with low slopes (but avoid wetlands) to maximize sheet flow and infiltration
  - Incorporate structural methods such as detention basins, wet basins, infiltration basins
  - Minimize or eliminate use of any pollutant, fertilizer, or pesticide
  - Span more than just the water course

Written Evaluation – Required Elements

- Also keep in mind
  - ✓ Always identify a limit of disturbance(LOD)
  - ✓ Minimize withdrawal of water from wetlands
  - ✓The evaluation must discuss measures to reduce impacts which were considered and rejected and the reason(s) why
  - ✓Minimum of 10 feet from foundation to LOD

Answer our questions (as directed by the Rules) before we ask them…

Written Evaluation – Required Elements

- Conclusion
- Qualifications
  - Names, addresses, backgrounds, and contributions of all those consulted for evaluation
- Literature Citations